

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 AID-05 CEA-01 CIAE-00 COME-00 EB-07
FRB-03 INR-07 NSAE-00 CIEP-01 SP-02 STR-04 TRSE-00
LAB-04 SIL-01 OMB-01 AGRE-00 L-03 DLOS-06 SAL-01
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C O N F I D E N T I A L EC BRUSSELS 0134

E.O. 11652: GDS
TAGS: EFISH
SUBJECT: US-EC FISH NEGOTIATIONS

1. I DISCUSSED BRIEFLY 6 JANUARY WITH FINN GUNDELACH WHO
IN NEW JENKINS' COMMISSION WILL CONTINUE HAVE RESPONSIBILITY
FOR FISHERIES NEGOTIATION SITUATION EXISTING BETWEEN US AND
COMMUNITY IN LIGHT OUR DECISION TO LEAVE ICNAF. HE CONCLUDED
FROM WHAT I HAD TO SAY THAT COMMUNITY SHOULD RENEW NEGOTIA-
TIONS WITH US AS SOON AS POSSIBLE AND THAT HE SHOULD LAY
OUT SITUATION IN COLD TERMS TO NEXT COUNCIL OF MINISTERS.

2. HE THOUGHT THERE WERE ONLY TWO REAL PROBLEMS. FIRST
OUR INSISTENCE ON RIGHT TO JAIL OFFENDING FISHERMEN WHICH
HE SAID UP TO NOW WAS TOTALLY UNACCEPTABLE TO FRENCH, AND SECOND,
PECULIAR REVERSAL OF ROLES CONCERNING ARBITRATION IN WHICH
WE, THE TRADITIONAL ADVOCATES OF SUCH PROCEDURES, WERE
PRECLUDED FROM AGREEING AND THE COMMUNITY, WHICH IN TRADE
MATTERS HAD FOUGHT DISPUTE SETTLEMENT PROCEDURES, WAS ADVOCATE.

3. TO SETTLE THESE DIFFERENCES I SUGGESTED THAT HE COULD
PROPOSE TO COUNCIL THAT COMMUNITY, WHILE ACCEPTING US
DRAFT GIFA ON CRIMINAL PENALTIES, COULD MAKE UNILATERAL STATE-
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MENT DEPLORING NECESSITY THEREFORE AND INDICATING EXPECTATION
THAT USG WOULD DO EVERYTHING POSSIBLE TO PREVENT IMPRISONMENT.
CONCERNING ARBITRATION, HE SUGGESTED THAT WE JOINTLY DEVELOP
LANGUAGE PROVIDING FOR IN-DEPTH CONSULTATION SHOULD DISPUTES
WHICH OTHERWISE MIGHT GO TO ARBITRATION ARISE. I AGREED TO
RECOMMEND THIS TO WASHINGTON AND I DO SO RECOMMEND.

4. COMMENT: IT IS MY ANTICIPATION THAT SHORTLY AFTER COUNCIL MEETING, NOW SCHEDULED FOR JANUARY 18, IF NOT BEFORE, COMMUNITY WILL ASK FOR RESUMPTION NEGOTIATIONS AND THAT IF WE CAN GO ALONG WITH ABOVE SUGGESTIONS AGREEMENT CAN BE REACHED (ASSUMING THEY ACCEPT SOMETHING ON SALMON, WHICH GUNDELACH DID NOT DISCUSS). INCIDENTALLY, GUNDELACH SEEMED TO INDICATE THAT QUESTION OF RECIPROCAL AGREEMENT FOR CONTINUED AMERICAN FISHING IN COMMUNITY WATERS, I.E. ESSENTALLY FRENCH GUIANA, WOULD PROVE TO BE MORE QUESTION OF FORM THAN SUBSTANCE BUT MY IMPRESSION WAS THAT HE HAS NOT REALLY THOUGHT THAT ONE THROUGH. SHOULD NEGOTIATIONS BE RESUMED THIS MONTH, I URGE THAT QUOTAS SIMILAR TO THOSE WE WOULD HAVE OFFERED HAD WE REMAINED IN ICNAF BE "RESERVED" PENDING CONCLUSION OF NEGOTIATIONS. HINTON

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